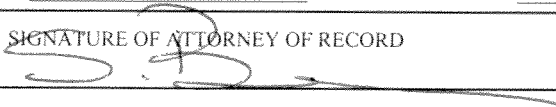


## CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court.. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON REVERSE OF THE FORM.)

<b>I.(a) PLAINTIFFS</b>  NICOLAS LOPEZ  <b>(b) County of Residence of First Listed Plaintiff:</b> OKLAHOMA (EXCEPT IN U.S. PLAINTIFF CASES)		<b>DEFENDANTS</b>  FARMERS INSURANCE COMPANY, INC.  County of Residence of First Listed Defendant: Johnson County, Kansas (IN U.S. PLAINTIFF CASES ONLY)			
<b>(c) Attorneys (Firm Name, Address and Telephone Number)</b> Kevin Bennett David Smith 414 N.W. 4 <sup>th</sup> Street, Suite 200, Oklahoma City, OK 73102 (405) 272-0303		Attorneys (if known) Greg D. Givens and Sheila R. Benson EDMONDS COLE LAW FIRM, 7 S. Mickey Mantle Drive, Second Floor, Oklahoma City, Oklahoma 73104 (405) 272-0322; Fax (405) 235-4654			
<b>II. BASIS OF JURISDICTION</b> (Place an "X" in one box only)  <input type="checkbox"/> 1. U.S. Government Plaintiff <input type="checkbox"/> 2. U.S. Government Defendant <input type="checkbox"/> 3. Federal Question (U.S. Government Not a Party) <input checked="" type="checkbox"/> 4. Diversity (Indicate Citizenship of Parties in Item III)		<b>III. CITIZENSHIP OF PRINCIPAL PARTIES</b> (Place an "X" in one box for Plaintiff and one box for Defendant)  <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <b>PTF</b>            Citizen of This State <input checked="" type="checkbox"/> 1            Citizen of Another State <input type="checkbox"/> 2            Citizen or Subject of a Foreign Country <input type="checkbox"/> 3         </td> <td style="width: 50%; vertical-align: top;"> <b>DEF</b>            Incorporated <i>or</i> Principal Place of Business in this State <input type="checkbox"/> 4            Incorporated <i>and</i> Principal Place of Business in Another State <input checked="" type="checkbox"/> 5            Foreign Nation <input type="checkbox"/> 6         </td> </tr> </table>		<b>PTF</b> Citizen of This State <input checked="" type="checkbox"/> 1 Citizen of Another State <input type="checkbox"/> 2 Citizen or Subject of a Foreign Country <input type="checkbox"/> 3	<b>DEF</b> Incorporated <i>or</i> Principal Place of Business in this State <input type="checkbox"/> 4 Incorporated <i>and</i> Principal Place of Business in Another State <input checked="" type="checkbox"/> 5 Foreign Nation <input type="checkbox"/> 6
<b>PTF</b> Citizen of This State <input checked="" type="checkbox"/> 1 Citizen of Another State <input type="checkbox"/> 2 Citizen or Subject of a Foreign Country <input type="checkbox"/> 3	<b>DEF</b> Incorporated <i>or</i> Principal Place of Business in this State <input type="checkbox"/> 4 Incorporated <i>and</i> Principal Place of Business in Another State <input checked="" type="checkbox"/> 5 Foreign Nation <input type="checkbox"/> 6				
<b>IV. ORIGIN</b> (PLACE AN "X" IN ONE BOX ONLY)  <input type="checkbox"/> 1 Original Proceeding <input checked="" type="checkbox"/> 2 Removed from State Court <input type="checkbox"/> 3 Remanded from Appellate Court <input type="checkbox"/> 4 Reinstated or Reopened <input type="checkbox"/> 5 Transferred from another district (Specify) <input type="checkbox"/> 6 Multidistrict Litigation <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judgment					
<b>V. NATURE OF SUIT</b> (PLACE AN "X" IN ONE BOX ONLY)					
<b>CONTRACT</b>  <input checked="" type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <b>REAL PROPERTY</b>  <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>TORTS</b>  <b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights	<b>PERSONAL INJURY</b> <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability <b>PRISONER PETITION</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <b>Habeas Corpus:</b> <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<b>FORFEITURE/PENALTY</b>  <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other  <b>LABOR</b>  <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<b>BANKRUPTCY</b>  <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157  <b>PROPERTY RIGHTS</b>  <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark  <b>SOCIAL SECURITY</b>  <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	<b>OTHER STATUTES</b>  <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions
<b>VI. CAUSE OF ACTION</b> (Cite the U.S. Civil Statute Under Which You Are Filing and Write Brief Statement of Cause. Do Not Cite Jurisdictional Statutes Unless Diversity.) BREACH OF CONTRACT AND BREACH OF THE DUTY OF GOOD FAITH AND FAIR DEALING					
<b>VII. REQUESTED IN COMPLAINT</b>	<input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23	<b>DEMAND</b> Excess of \$75,000	CHECK YES only if demanded in Complaint <b>JURY DEMAND:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
<b>VIII. RELATED CASE(S) IF ANY</b> (See instructions): JUDGE _____ DOCKET NUMBER _____					
DATE 6-3-10		SIGNATURE OF ATTORNEY OF RECORD 			
<b>For Office Use Only</b> Receipt # _____ Amount _____ Applying IFP _____ Judge _____ Mag. Judge _____					